

REMARKS/ARGUMENTS

In the specification, the paragraph beginning at page 4, line 2 has been amended to correct minor editorial problems.

Formal drawings are submitted herewith for Examiner's approval. There are no changes in the drawings from those Figures that were originally filed with the application.

Claims 1 - 6 remain in the application. Independent claim 7 has been added. It is noted that claim 6 was not mentioned in the action and, evidently, has not received an action on the merits.

In response to the Office Action of Sept. 3, 2004, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

The instant claims are directed to an adjustable impact wrench and/or tool that may be used in close quarters which prevent the use of a standard wrench because of the length of the standard wrench. Conventionally, a wrench turns a bolt or nut by rotating about the axis of a bolt or nut in a plane perpendicular to the axis of rotation of the bolt or nut. By providing a flange rotating about the length of the handle of a wrench, as recited in the claims, the angle of the plane of rotation can be changed from perpendicular to another angle. Further, as recited in the claims, the flange has connectors that permit changing the impact angle, laterally, from perpendicular to the longitudinal axis of the

handle to another angle. Therefore, the claimed invention provides adjustment of the arc of rotation of a wrench in both the horizontal or normal to the axis of rotation and in the vertical.

**Objections to the Claims**

Claims 4 and 5 have been objected to with regard to semantics. These claims have been amended as suggested by the Examiner.

**Rejections under 35 USC 112**

Claims 3 and 4 have been rejected as indefinite in the recitation of an arc with a free edge. Claim 3 has been amended to overcome this rejection. One edge of the flange is now recited as attached to the sleeve with the free edge formed in an arc. The center of the arc would seem self explanatory.

**Rejections under 35 USC 102(b)**

Claim 1 stands rejected as anticipated by Arnold '798. The Arnold patent teaches only a ratchet wrench with a slidable sleeve on the handle to increase the length and thereby the moment arm or leverage. The Arnold wrench will always rotate at a ninety degree angle about the rotational axis of the bolt or nut to which it is engaged. There is no teaching that the Arnold sleeve can be rotated about the wrench handle to provide torque to the bolt in

a plane different from the horizontal plane taught by Arnold. Further, there is no teaching that, in addition to changing the angle of rotation about the longitudinal axis of the bolt, the Arnold sleeve can be rotated laterally, in the horizontal plane of the handle, to translate force at an angle other than ninety degrees to the length of the handle.

The reference does not teach the claimed invention and therefore, cannot anticipate it.

Rejection under 35 USC 103(a)

Claims 2 - 5 stand rejected as obvious in view of Arnclid and Blessing. The deficiencies of the Arnold teaching are repeated here.

Blessing merely shows a pivoting handle that may be pivoted 180 degrees about a hub for turning the hub of a machine tool from opposite sides.

There is no motivation for combining the wrench, with an extendable handle, of Arnold with the machine tool crank of Blessing which pivots 180 degrees. Even assuming that there was some reason to combine these teachings, the claimed invention would not be obvious to one of ordinary skill since the claimed invention is not found in the combination for the reasons given above.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested.

Respectfully submitted,



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Amendments to the Drawings:

The attached sheets of formal drawings include no changes to the Figures, as originally filed. These sheets, which includes Fig. 1-5, replace the original sheets, including Fig. 1-5.

Attachment: Replacement Sheets